

EXHIBIT D



U.S. Citizenship
and Immigration
Services

May 16, 2012

COW2011000776

Anthony T Eliseuson
208 South La Salle Street
Suite 1818
Chicago, IL 60604

Dear Anthony T Eliseuson:

This is a response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office relating to Anthony T Eliseuson DHS/OS/PRIV 11-1242 Tier Three Terrorist, on September 15, 2011.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill A. Eggleston".

Jill A. Eggleston
Director, FOIA Operations

U.S. Department of Homeland Security
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010



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and Immigration
Services

May 14, 2012

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Anthony T Eliseuson
208 South La Salle Street
Suite 1818
Chicago, IL 60604

Dear Anthony T Eliseuson:

This is a response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office as a transferal from the Department of Homeland Security (DHS), DHS/OS/PRIV 11-1242, on September 15, 2011. You seek on behalf of NIJC, the disclosure of documents in the possession of USCIS that relate to groups defined as terrorist organizations under INA § 212(a)(3)(B)(Vi)(III) whether referred to by any other name, including, but not limited to, "Tier III terrorist groups," Terrorist groups or organizations under INA § 212(a)(3)(B)(Vi)(III), "Tier III groups or organizations" or "undesignated terrorist groups or organizations," and the designation of aliens as inadmissible due to their activities related to these groups.

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.4(a)), USCIS uses a "cut-off" date to delineate the scope of a FOIA request by treating records created after that date as not responsive to that request. Therefore, in determining which records are responsive to your request, we will include only records in our possession as of December 14, 2011, the date we begun the search for records.

We have decided on a rolling release of our responses. We have completed the review of 883 documents that are responsive to your request. Enclosed are 434 pages released in their entirety, and 101 pages released in part. We are withholding 312 pages in full. In our review of these pages, we have determined that they contain no reasonably segregable portion(s) of non-exempt information. We have referred a total of 36 pages to DHS, DOJ, and DOS for their direct response to you. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(c), and (b)(7)(e) of the FOIA.

Freedom of Information Act 5 U.S.C. § 552 (b)(5)

Exemption (b)(5) provides protection for inter-agency or intra-agency memorandums or letters, which would not be available by law to a party other than an agency in litigation with the agency. The types of documents and/or information that we have withheld under this exemption may consist of documents containing pre-decisional information, documents or other memoranda prepared in contemplation of litigation, or confidential communications between attorney and client.

Freedom of Information Act 5 U.S.C. § 552 (b)(6)

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home

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addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

Freedom of Information Act 5 U.S.C. § 552(b)(7)(C)

Exemption (b)(7)(C) provides protection for personal information in law enforcement records, which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have withheld information relating to third-party individuals. The types of documents and/or information that we have withheld could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents that are considered personal.

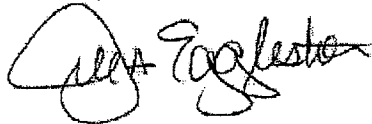
Freedom of Information Act 5 U.S.C. § 552(b)(7)(E)

Exemption (b)(7)(E) of the FOIA provides protection for records or information for law enforcement purposes which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The types of documents and/or information we have withheld could consist of law enforcement systems checks, manuals, checkpoint locations, surveillance techniques, and various other documents.

The enclosed record consists of the best reproducible copies available. Certain pages contain marks that appear to be blacked-out information. The black marks were made prior to our receipt of the file and are not information we have withheld under the provisions of the FOIA or PA.

If you wish to appeal this determination, you may write to the USCIS FOIA/PA Appeals Office, 150 Space Center Loop, Suite 500, Lee's Summit, MO 64064-2139, within 60 days of the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Jill A. Eggleston", with a stylized flourish at the end.

Jill A. Eggleston
Director, FOIA Operations